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## U.S. Department of Commerce No FEAR Act EEO Complaint Data National Oceanic & Atmospheric Administration (NOAA)

This is an interim report of No FEAR ACT data. The report will be revised upon publication of a final rule by the Equal Employment Opportunity Commission (EEOC).

- [Interim EEOC Rule](#)
- [Information on the No FEAR Act](#)
- [No Fear Act Data on the EEOC website \(includes information on EEOC Hearing and Appeals processing\)](#)

**Data last updated:** October 30, 2004.

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### 1. Number of Complaints

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of complaints Pending at the Beginning of the FY	65	63	57	n/a	n/a	n/a	n/a	n/a
Number of complaints Filed in the FY	28	36	32	36	40	35	33	52
Number of complaints Closed in the FY	38*	35	26	46	42	35	48	52
Number of complaints Pending any time in the FY	93	99	89	n/a	n/a	n/a	n/a	n/a

\*includes database cleanup of old cases designated as "closeable"

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## 2. Number of Complainants

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of complainants who had a complaint pending	51	63	57	n/a	n/a	n/a	n/a	n/a
Number of complainants who filed a complaint	26	35	32	36	38	32	35	32
Number of complainants who filed 2 or more complaints	2	1	0	0	2	2	5	9

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## 3. Bases of Complaints

	FY2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Race	12	9	12	18	20	16	13	24
Color	3	1	3	5	2	4	4	5
Religion	1	5	1	5	3	3	3	2
National Origin	3	3	3	3	5	5	3	4
Sex	6	11	8	9	9	10	10	27
Disability	8	1	10	9	5	8	8	15
Age	12	17	10	14	13	9	10	15
Reprisal	10	18	15	12	20	16	18	26
Equal Pay	0	0	0	0	0	0	0	2
Other	0	0	1	0	0	0	0	0
<b>TOTALS</b>	55	65	63	75	77	71	69	120

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## 4 . Issues in Complaints

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Appointment/Hire	0	1	1	1	0	2	1	1
Assignment of Duties	6	10	6	6	7	2	6	7
Awards	0	2	2	3	2	3	0	4
Conversion to Full Time	0	0	0	0	0	0	0	0

Discipline: Demotion	0	0	0	0	2	1	0	0
Discipline: Reprimand	0	3	1	2	1	1	2	3
Discipline: Suspension	2	1	0	1	1	3	2	3
Discipline: Removal	1	0	0	0	0	0	0	0
Discipline: Other	1	0	0	3	0	0	0	0
Duty Hours	0	0	1	0	0	0	0	0
Evaluation/Appraisal	5	5	4	1	4	4	4	4
Examination/Test	0	0	0	0	0	0	0	0
Harassment: Non-sexual	11	18	10	13	13	9	13	20
Harassment: Sexual	1	0	1	0	1	0	2	2
Medical Examination	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	0	2	0	1	0	1	1
Promotion/Non-selection	9	7	15	14	17	9	16	17
Reassignment: Requested	1	1	0	1	1	0	1	2
Reassignment: Directed	1	2	0	1	0	0	1	2
Reasonable Accommodation	4	4	4	5	2	4	1	5
Reinstatement	0	0	0	1	0	0	1	1
Retirement	0	0	0	1	0	0	0	0
Termination	3	2	3	1	2	2	4	4
Terms/Conditions of Employment	4	12	1	1	2	5	0	3
Time and Attendance	5	5	6	6	0	1	3	6
Training	2	3	4	3	4	5	2	2
Other	0	0	3	3	0	10	3	5
<b>TOTALS</b>	58	76	64	67	60	61	63	92

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### 5. Complaints Pending by Status

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Investigation	12	15	33	n/a	n/a	n/a	n/a	n/a
Hearing	14	18	13	n/a	n/a	n/a	n/a	n/a
Final Agency Action	17	18	6	n/a	n/a	n/a	n/a	n/a
Appeal	8	4	9	n/a	n/a	n/a	n/a	n/a
Accept/Dismiss	2	3	4	n/a	n/a	n/a	n/a	n/a
<b>TOTALS</b>	53	58	65	n/a	n/a	n/a	n/a	n/a

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	FY 2006
Investigation: Hearing Requested	0
Investigation: No Hearing	203 *includes 3 cases amended at least once
Final Agency Action: With Hearing	767
Final Agency Action: Without Hearing	852

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	FY 2006	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of Investigations Pending over 180 days	5*	4	32	n/a	n/a	n/a	n/a	n/a

\* includes 3 cases amended at least once. Amendments extend the time for investigation for 180 days from the date of amendment, or for 360 days from the date the original complaint was filed, whichever comes first. 29 CFR §1614.106(d)

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	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of Complaints Dismissed	9	7	11	7	7	3	6	12
Average Days Pending Prior to Dismissal	105*	94	105	96	150	136	122	175

\* includes 2 cases dismissed after investigation

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	FY 2006: Number	FY 2006: Percent	FY 2005: Number	FY 2005: Percent	FY 2004: Number	FY 2004: Percent	FY 2003: Number	FY 2003: Percent

Findings of Discrimination With Hearing	0	0	0	0	0	0	0	0
Findings of Discrimination Without Hearing	0	0	0	0	0	0	2	>1
<b>TOTALS</b>	0	0	0	0	0	0	2	>1

### 9. Findings of Discrimination as a Percentage of Total Complaints Pending : 2002-1999

	FY 2002: Number	FY 2002: Percent	FY 2001: Number	FY 2001: Percent	FY 2000: Number	FY 2000: Percent	FY 1999: Number	FY 1999: Percent
Findings of Discrimination With Hearing	0	0	0	0	0	0	0	0
Findings of Discrimination Without Hearing	0	0	1	>1	0	0	0	0
<b>TOTALS</b>	0	0	1	>1	0	0	0	0

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### 10. Findings of Discrimination By Basis: Current to 2003

	FY 2006: Number	FY 2006: Percent	FY 2005: Number	FY 2005: Percent	FY 2004: Number	FY 2004: Percent	FY 2003: Number	FY 2003: Percent
Race	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	1	>1
Age	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0
Equal Pay	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>TOTALS</b>	0	0	0	0	0	0	1	>1

### 10. Findings of Discrimination By Basis 2002-1999

	FY 2002: Number	FY 2002: Percent	FY 2001: Number	FY 2001: Percent	FY 2000: Number	FY 2000: Percent	FY 1999: Number	FY 1999: Percent
Race	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0

Disability	0	0	0	0	0	0	0	0
Age	0	0	1	>1	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0
Equal Pay	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>TOTALS</b>	0	0	1	>1	0	0	0	0

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### 11 . Findings of Discrimination by Issue

	FY 2006: Number	FY 2006: Percent	FY 2005: Number	FY 2005: Percent	FY 2004: Number	FY 2004: Percent	FY 2003: Number	FY 2003: Percent
Appointment/Hire	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	1	>1
Harassment: Sexual	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	0	0	0	0	0	0
Reassignment: Requested	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	2	>1
Reinstatement	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	1	0
Termination	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0

Time and Attendance	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>TOTALS</b>	0	0	0	0	0	0	2	>1

### 11 . Findings of Discrimination by Issue 2002-1999

	FY 2002: Number	FY 2002: Percent	FY 2001: Number	FY 2001: Percent	FY 2000: Number	FY 2000: Percent	FY 1999: Number	FY 1999: Percent
Appointment/Hire	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	0	0
Harassment: Sexual	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	1	>1	0	0	0	0
Reassignment: Requested	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>TOTALS</b>	0	0	1	>1	0	0	0	0

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### Notes about the data:

1. Data for dismissals includes complaints dismissed prior to investigation and complaints dismissed in later proceedings.

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